

REMARKS

Applicants respectfully request reconsideration of the present U.S. patent application. Claims 1-3, 6-12 and 15-21 stand rejected under 35 U.S.C. § 102. Claims 4, 5, 13 and 14 stand rejected under 35 U.S.C. § 103. No claims have been amended, canceled or added. Therefore, claims 1-21 remain pending.

Claim Rejections - 35 U.S.C. § 102Rejections of Claims 1-3, 6-12 and 15-21 Based on *Munks*

Claims 1-3, 6-12 and 15-21 were rejected under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 6,134,253 issued to Munks et al. (*Munks*). For at least the reasons set forth below, Applicants submit that claims 1-3, 6-12 and 15-21 are not anticipated by *Munks*.

Claim 1 recites the following:

a control filter for stabilizing a laser beam, said control filter having a first periodicity, said control filter being located in said control path; and
a reference filter for determining an operating point cycle of said control filter, said reference filter having a second periodicity greater than said first periodicity, said reference filter being located in said reference path.

Claims 7, 10 and 19 recite similar limitations.

Munks discloses a first optical filter that filters a first split beam according to a first spectral filter function to produce a first filtered beam. See col. 7, lines 37-39. A second optical filter filters a second split beam according to a second spectral filter function to produce a second filtered beam. See col. 7, lines 39-42. According to the Examiner, the first optical filter in *Munks* is a control filter in a control path, and the second optical filter is a reference filter in a reference path. See Office Action, page 2, paragraph 4, lines 3-4.

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In *Munks*, the first and second optical filters have different spectral filter functions. *Munks* does not disclose filters that have different periodicities. Therefore, *Munks* does not disclose a reference filter having a periodicity greater than the periodicity of a control filter. Thus, *Munks* fails to teach all of the limitations of claims 1, 7, 10 and 19. Consequently, *Munks* does not anticipate the invention in claims 1, 7, 10 and 19 for at least the reasons set forth above. Applicants therefore respectfully request that the Examiner withdraw the rejection of claims 1, 7, 10 and 19 under 35 U.S.C. § 102.

Claims 2-6 depend from claim 1. Claims 8 and 9 depend from claim 7. Claims 11-18 depend from claim 10. Claims 20 and 21 depend from claim 19. Because dependent claims include the limitations of the claims from which they depend, Applicants submit that claims 2-6, 8, 9, 11-18, 20 and 21 are not anticipated by *Munks* for at least the reasons set forth above.

Claim Rejections - 35 U.S.C. § 103

Rejections of Claims 4, 5, 13 and 14 Based on *Munks* and *Rakuljic*

Claims 4, 5, 13 and 14 were rejected under 35 U.S.C. § 103 as being unpatentable over *Munks* in view of U.S. Patent No. 5,691,989 issued to Rakuljic et al. (*Rakuljic*). For at least the reasons set forth below, Applicants submit that claims 4, 5, 13 and 14 are not rendered obvious by *Munks* and *Rakuljic*.

Applicants agree with the Examiner that *Munks* fails to disclose the limitations of claims 4, 5, 13 and 14. However, Examiner contends that *Rakuljic* discloses the limitations of claims 4, 5, 13 and 14. As explained above, *Munks* fails to disclose a reference filter having a periodicity greater than the periodicity of a control filter.

Rakuljic discloses a laser that utilizes feedback from a volume holographic grating to lock the laser output wavelength to its desired value. See Abstract. Examiner does not

contend that *Rakuljic* discloses a reference filter having a periodicity greater than the periodicity of a control filter. Thus, *Rakuljic* fails to cure the deficiencies of *Munks* pointed out by the Applicants. Consequently, *Munks* in view of *Rakuljic* fails to disclose a reference filter having a periodicity greater than the periodicity of a control filter. Therefore, *Munks* in view of *Rakuljic* fails to teach or suggest all of the limitations of claims 1, 7, 10 and 19.

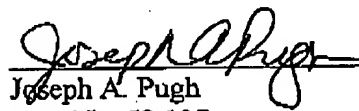
Claims 4 and 5 depend from claim 1. Claims 13 and 14 depend from claim 10. Because dependent claims include the limitations of the claims from which they depend, Applicants submit that claims 4, 5, 13 and 14 are not rendered obvious by *Munks* in view of *Rakuljic* for at least the reasons set forth above. Applicants therefore respectfully request that the Examiner withdraw the rejection of claims 4, 5, 13 and 14 under 35 U.S.C. § 103.

CONCLUSION

For at least the foregoing reasons, Applicants submit that the rejections have been overcome. Therefore, claims 1-21 are in condition for allowance and such action is respectfully solicited. The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the present application.

Respectfully submitted,

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